

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

**[23] MIGUEL A. LAUREANO-DIAZ,
Defendant.**

Crim. No. 05 - 020 (JAF)

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on May 27, 2005, Defendant, [23] Miguel A. Laureano-Diaz, entered a Plea and Forfeiture Agreement (Dkt. No. 304), to Counts One and Four of the Indictment;

AND WHEREAS by so doing, defendant agreed to forfeit to the United States and to relinquish all rights, title and interests in the following property:

– Blue 1999 Dodge Ram, Puerto Rico license plate number 653-270 and VIN number 1B7MF33W7XJ636114.

– 32' Hard top Open Fisherman vessel, model # SJ225TXECS, serial # G04417464 with two Johnson 225 hp outboard engines and trailer.

AND WHEREAS, upon the Plea and Forfeiture Agreement entered by the defendant, the forfeiture of the above property stands unopposed;

AND WHEREAS, the United States has made a sufficient showing of the forfeitability of the property;

AND WHEREAS, by virtue of the Plea and Forfeiture Agreement, the United States is now entitled to possession of said property, pursuant to Title 21 United States Code, Section 853, and Rule 32 (d) of the Federal Rules of Criminal Procedure:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That based upon the guilty plea by the defendant and the unopposed version of the

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facts, any and all of the defendant's interest in the above listed property is hereby forfeited to the United States and the United States is hereby authorized to seize the same for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. That the aforementioned forfeited property is to be held by the United States Marshals Service in their secure custody and control.

3. That pursuant to Title 21 United States Code, Section 853, the United States forthwith shall publish three times for three consecutive weeks in "El Nuevo Dia," a newspaper of general circulation in the island of Puerto Rico, notice of this Order, notice of the United States Marshals Service's intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition within the court with thirty (30) days of the publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set for the nature and extent of the petitioner's right, title or interest in each of the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

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4. That upon adjudication of all third-party interests, this court will enter a final Order of Forfeiture pursuant to Title 21 United States Code, Sections 853 and 881, in which all interests will be addressed.

SO ORDERED on this 12th day of October, 2005.

S/JOSE A. FUSTE
HON. JOSE A. FUSTE
CHIEF, U.S. DISTRICT JUDGE